

PATENT APPLICATION DECLARATION

(Attorney's Docket No.: 2500.66-2)

I, Rajendra S. Bhatnagar, declare as follows:

1. My residence, post office address and country of citizenship given below are true and correct.

2. I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought in the patent application entitled "SYNTHETIC COMPOUNDS AND COMPOSITIONS WITH ENHANCED CELL BINDING," Serial No. 08/278,878, filed July 22, 1994, and I have reviewed and understand the contents of the specification, including its claims.

3. I acknowledge my duty to disclose to the Office all information known to me to be material to patentability of this application, in accordance with 37 C.F.R. Section 1.56, which is defined on the attached page.

4. This application is a continuation-in-part of copending application Serial Number 07/804,782, filed December 9, 1991. I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, as defined in §1.56, which occurred between the filing date of the prior application and the filing date of this application.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Additionally, the undersigned hereby appoints the following as his attorneys and agents to prosecute said patent application, to transact all business in the Patent and Trademark

Office connected therewith, to receive the original Letters Patent and to substitute or associate other attorneys on his behalf:

Gerald P. Parsons	Registration No. 24,486
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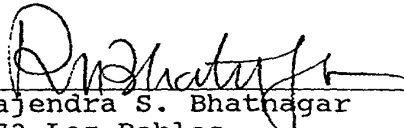
Please send all correspondence to:

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Date:

October 13, 1994

Residence and
Post Office Address: 
Rajendra S. Bhatnagar
173 Los Robles
Burlingame, California 94010
(Citizenship: ~~7777~~)
U.S.A.

Section 1.56 Duty to Disclose Information Material to Patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

EXPRESS MAIL CERTIFICATE

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Typed or Printed Name Margaret D. Pierce

Express Mail No.

EL 563 388 761 US

Signature

Date

March 23, 2001

**ASSOCIATE POWER OF
ATTORNEY**

Assistant Commissioner for Patents
Washington, D.C. 20231

Attorney Docket

06510-223CON2

First Named Inventor

Bhatnagar

Application Number

Unassigned

Filing Date

Herwith (March 23, 2001)

Group Art Unit

Unassigned

Examiner Name

Unassigned

Title: "Synthetic Compounds and Compositions with
Enhanced Cell Binding"

Dear Sir:

Please recognize the following attorneys and agents:

Name	Reg. No.	Name	Reg. No.
Kathleen S. Hall	44,143	Robert C. Hall	39,209
Cheryl Franke	44,113	Carol LaSalle	39,740

whose address is Bozicevic, Field & Francis LLP, 200 Middlefield Road, Suite 200, Menlo Park, CA 94025 as my associates in the above identified patent application to inspect the file, to prepare and file amendments, to inspect and make copies thereof and of any papers in any appellate or *inter partes* proceedings in which the application may be or become involved, and generally to conduct all business in the United States Patent and Trademark Office relating to the prosecution of the application or any application that claims priority from this application.

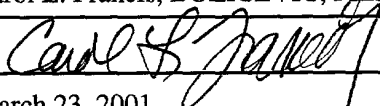
Please continue to direct all communications to:

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I am the: ☐ Applicant; or
☐ Assignee of record of the entire interest (*Certificate under 37 CFR 3.73(b) is enclosed.*)
☒ Attorney of record

SIGNATURE of Applicant or Assignee of Record

Name	Carol L. Francis, BOZICEVIC, FIELD & FRANCIS LLP
Signature	
Date	March 23, 2001